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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
087659,949	06/07/96	LUDWIG	VCOR-007110

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LM21/0310

EXAMINER

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ART UNIT

PAPER NUMBER

2756

10

DATE MAILED:

03/10/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

08/659,949 06/07/97



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APPLICATION NUMBER 08/659,949	FILING DATE 06/07/97	FIRST NAMED APPLICANT COOLEY EDWARD GASTRO	ATTORNEY DOCKET NO. 2756
FIVE PALO ALTO SQUARE 3000 EL CAMINO REAL PALO ALTO CA 94306			

EXAMINER
03/10/98

ART UNIT
PAPER NUMBER
10

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 11-25-97

☒ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 2-36 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 2-36 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-892

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

DETAILED ACTION

Applicant's arguments filed 12/24/97 have been fully considered but they are not persuasive in view of new rejection below.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 2, 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Ahuja et al. US patent 5,471,318.

As per claim 2, Ahuja teaches a teleconference system, comprising:

a teleconference manager [fig.2 MR server 48] configured to manage a teleconference among a plurality of participants, wherein at least one of the participants is a multimedia service [fig.1 TV, phone, VRC, Camera] configured to provide AV signal reproduction [apparent from the use of a VCR] at a workstation of another of the participant, or receive video images and spoken audio of another participant [col.4 lines 28-49]; and

a first network [fig.1 network #10] interconnecting the workstations, over which a data conference [col.4 lines 16-25]

can be conducted, the data conference managed by the teleconference manager [fig.1 MR Server 48].

As per claim 29, Ahuja teaches a teleconferencing system, comprising:

a teleconference manager [fig.2 MR server 48], configured to manage videoconference and dataconference among a plurality of participants, each participant having a workstation [fig.2 User Workstation #12, #14];

a multimedia server [fig.2 Audio 58, Video 54, Data 50 servers], in communication with the teleconference manager [52], configured to transfer communication data, generated at the workstation of at least one preparing participant to at least one other participant during the videoconference and data conference; and

a storage medium [col.11 lines 28-35] in communication with the multimedia server, configured to receive and store the communication data.

As per claim 30, Ahuja teaches audio, video and data shared among the participant [col.8 lines 60-65, col.7 lines 10-55].

As per claim 31, Ahuja teaches storing selected audio, video and data signals [col.12 lines 36-50].

The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section

102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and further in view of Maeno "Distributed Desktop Conferencing System (MERMAID) Based on Group Communication Architecture".

As per claim 3, Rangan teaches a teleconferencing system essentially as claimed, comprising:

conference capture tools and annotation tools [p.1396 col.1 lines 39-45 "Tiogavision"].

Rangan suggested providing a multimedia mail system [p.1402 col.1 last paragraph] with captured and annotated data. It is inherent that the multimedia mail can be collaborated in real time at different location (conference call), at different time at same location (mail self-addressed to the author or the workstation), and at different time at different location (mail to another user).

Rangan does not specifically disclose a data conference tool. Maeno disclose a teleconferencing integrating data and

video conferencing. Maeno teaches data conference capture and annotation tools [p.0522 col.1 last paragraph]. It would have been obvious for one of ordinary skill in the art to provide a data conference manager with Rangan's system because it would enable participants to view and process multimedia documents simultaneously with voice + video conferencing [Maeno p.0522 col.1 first paragraph].

As per claims 4, Rangan does not disclose graphical animation device for generating animated graphic images to be included in a multimedia message. It is well known in the art to have animation graphic images in multimedia document. The type of media included in a multimedia mail would have been a matter of design choice dependent on the preference of the user composing the mail message.

Maeno discloses adding annotation and handwriting can be add in real-time to the multimedia document [p. 0522 col.1 last paragraph: writing pad, mouse cursor manipulation]. These tools read on the graphical animation as claimed because the annotation and handwriting would be 'animated' on the receiver's workstation in order to display them in real-time.

As per claim 5, it is rejected under similar rationale as for claim 3 above.

As per claim 6, it is apparent from p.1401 col.2 that AV capture include AV images of the preparing participant and AV image of other participants.

As per claim 7, Rangan teaches message marker [p.1402 col.1 2nd paragraph "annotation icon"].

As per claim 10, Rangan does not specifically disclose a data conference manager for managing data conference. Maeno disclose a teleconferencing integrating data and video conferencing. It would have been obvious for one of ordinary skill in the art to provide a data conference manager with Rangan's system because it would enable participants to view and process multimedia documents simultaneously with voice + video conferencing [Maeno p.0522 col.1 first paragraph].

It is apparent in the system as modified that the conference recorder would record audio, video and data during the conference.

As per claim 11, Maeno teaches data capture tool, annotating shared data [p.0522 col.1 last paragraph].

As per claims 12-13, Rangan teaches conference recorder [p.1401 "Video File Server"]. It is apparent that the mail system would have storage for multimedia document such that it can be retrieve by a participant and information can be transfer between the mail system, conference recorder, and the multimedia document [Rangan p.1402].

As per claim 14, Rangan teaches AV file system for storing and retrieving audio video images [p.1401 "Video File Server"].

As per claim 15, Rangan teaches depository being operable to receive and store multimedia mail messages under direction of the preparing participant [p.1401 "Video File Server"]

As per claim 16, Rangan teaches audio, video and data components [p.1402 col.1 first paragraph].

As per claim 17, it is rejected under similar rationale as for claims 5+10 above.

As per claim 18, it is rejected under similar rationale as for claim 28 below.

As per claim 19, Rangan teaches [p.1402 col.1 2nd paragraph] AV signal carried in either analog [video rope] or digital signal [digitized video frame].

As per claim 20, it is rejected under similar rationale as for claims 5+10 above. Maeno teaches data capture tool, annotating captured data [p.0522 col.1 last paragraph].

As per claims 21, it is rejected under similar rationale as for claim 4 above.

As per claim 22, it is rejected under similar rationale as for claim 5 above.

As per claim 23, Rangan teaches message marker [p.1402 col.1 2nd paragraph "annotation icon"].

As per claim 25, Rangan teaches conference recorder [p.1401 "Video File Server"]. It is apparent that the mail system would have storage for multimedia document such that it can be retrieve by a participant and information can be transfer between the mail system, conference recorder, and the multimedia document [Rangan p.1402].

As per claim 26, Maeno teaches data capture tool, annotating shared data [p.0522 col.1 last paragraph].

As per claim 27, Rangan and Maeno teach storing and retrieving multimedia document [Rangan p.1401 col.2 lines 8-10, Maeno p.0522 col.1 last paragraph].

As per claim 28, Rangan teaches a method of conducting teleconference, comprising the steps of:

carrying AV signal among the workstations [apparent from fig.1];

managing a videoconference [p.1397]; and

storing, as a multimedia mail message [multimedia document], AV signals generated at the workstation of a preparing participant [p.1401 col.2 lines 2-10]; and

recording AV signal during videoconferencing [p.1401 col.2 line 5 "participant can store parts of their conference"];

storing, as a multimedia mail message [col.1 p.1402 last paragraph], data and AV signal during the conference [p.1401 col.2 lines 2-10 "multimedia document"] and forwarding multimedia

mail to a receiving participant [apparent function of an e-mail facility].

Rangan does not specifically disclose a managing data conference. Maeno disclose a teleconferencing integrating data and video conferencing. Maeno teaches data conference capture and annotation tools [p.0522 col.1 last paragraph]. It would have been obvious for one of ordinary skill in the art to provide a data conference manager with Rangan's system because it would enable participants to view and process multimedia documents simultaneously with voice + video conferencing [Maeno p.0522 col.1 first paragraph].

As per claim 29, Rangan teaches a teleconference system comprising:

teleconference manager [p.1396 fig.1 CM server]

multimedia servers ['video file server'] in communication with the teleconference manager;

storage medium configured to receive and store the communication data [optical disk].

Rangan does not specifically disclose a managing data conference. Maeno disclose a teleconferencing integrating data and video conferencing. Maeno teaches data conference capture and annotation tools [p.0522 col.1 last paragraph]. It would have been obvious for one of ordinary skill in the art to provide a data conference manager with Rangan's system because it would

enable participants to view and process multimedia documents simultaneously with voice + video conferencing [Maeno p.0522 col.1 first paragraph].

As per claim 30, Rangan teaches sharing audio and video among the participant [p.1402 col.1 1st paragraph]. Maeno teaches sharing data signal [documents].

As per claim 31, it is apparent from the system as modified that communication data stored comprises audio, video and data.

As per claim 32, Rangan teaches AV capture tools [p.1401 col.2]. Maeno teaches data capture and annotation during a conference [p.0522 col.2].

As per claim 33, Maeno teach using capture and annotation tool to generate multimedia document capable of being stored in real-time [p.0522 col.1 last paragraph to of col.2].

As per claim 34, Rangan teaches using the system as a multimedia mail [p.1402 col.1 last paragraph]. It is inherent that the multimedia mail can be collaborated in real time at different location (conference call), at different time at same location (mail self-addressed to the author or the workstation), and at different time at different location (mail to another user).

As per claim 35, Rangan does not disclose graphical animation device for generating animated graphic images to be included in a multimedia message. It is well known in the art to

have animation graphic images in multimedia document. The type of media included in a multimedia mail would have been a matter of design choice dependent on the preference of the user composing the mail message.

Maeno discloses adding annotation and handwriting can be add in real-time to the multimedia document [p. 0522 col.1 last paragraph: writing pad, mouse cursor manipulation]. These tools read on the graphical animation as claimed because the annotation and handwriting would be 'animated' on the receiver's workstation in order to display them in real-time.

As per claim 36, Rangan teaches message marker [p.1402 col.1 2nd paragraph "annotation maker"].

Claims 8-9 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable Rangan and Maeno, and further in view of Rosenbaum US patent 5,404,435.

As per claims 8-9, Rangan does not teach tag searcher for searching defined tag in multimedia mail message. Rosenbaum teaches a multimedia document system with searchable tags to enable retrieval of the whole or portion of the multimedia document. Hence, it would have been obvious for one of ordinary skill in the art to combine the teaching of Rosenbaum with Rangan and thereby arrives at the claimed invention.

As per claim 24, it is rejected under similar rationale as for claim 8 above.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Asta can be reached at (703) 305-3817.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 308-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

(703) 308-5359 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



Dung Dinh
Patent Examiner
February 23, 1998